

WORKING LAW BOOK TALK



Lauren Edelman

Date: May 2, 2017

Time: 2:00-3:30pm

Location: SBSG Room 3260

ABSTRACT:

Since the passage of the Civil Rights Act, virtually all companies have antidiscrimination policies in place. Although these policies represent some progress, women and minorities remain underrepresented within the workplace as a whole and even more so when you look at high-level positions. They also tend to be less well paid. How is it that discrimination remains so prevalent in the American workplace despite the widespread adoption of policies designed to prevent it?

One reason for the limited success of antidiscrimination policies, argues Lauren B. Edelman, is that the law regulating companies is broad and ambiguous, and managers therefore play a critical role in shaping what it means in daily practice. Often, what results are policies and procedures that are largely symbolic and fail to dispel long-standing patterns of discrimination. Even more troubling, these meanings of the law that evolve within companies tend to eventually make their way back into the legal domain, inconspicuously influencing lawyers for both plaintiffs and defendants and even judges. When courts look to the presence of antidiscrimination policies and personnel manuals to infer fair practices and to the presence of diversity training programs without examining whether these policies are effective in combating discrimination and achieving racial and gender diversity, they wind up condoning practices that deviate considerably from the legal ideals.

BIO:

Lauren Edelman is the Agnes Roddy Robb Professor of Law and Professor of Sociology at UC Berkeley, where she has served as Director of the Center for the Study of Law and Society and Associate Dean for Jurisprudence and Social Policy. She has been a Guggenheim fellow, a fellow at the Center for Advanced Studies in the Behavioral Sciences at Stanford, a fellow at the Rockefeller Center in Bellagio, Italy, and is an elected member of the Sociological Research Association. She has served as chair of the Sociology of Law Section of the American Sociological Association, and as Secretary and President of the Law and Society Association. Through a series of mixed method empirical analyses of organizational responses to civil rights law, the role of organizational professions in shaping the meaning of law, and deference by legal institutions to management practices, Edelman has developed 'legal endogeneity theory,' to explain the interplay between organizations and law. Her recent book is *Working Law: Courts, Corporations, and Symbolic Civil Rights* (University of Chicago Press 2016).

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